

<b>Applicant</b>	Donna Batiste / 12 Terrace Residential Development	
<b>Request</b>	Site Plan Level III Review / Conditional Use for Mixed Use Development /12 Multi-family units with Flex Allocation	
<b>General Location</b>	SW Corner of N.E. 14 <sup>th</sup> Court and N.E. 7 <sup>th</sup> Avenue (Dixie Highway)	
<b>Legal Description</b>	A portion of the North 180.00 feet of the Northwest one-quarter (NW ¼) of the Southwest one-quarter (SW ¼) of Section 35, Township 49 South, Range 42 East, Broward County, Florida.	
<b>Property Size</b>	22,943 SF / .52 Acres	
<b>Zoning</b>	Community Business District (CB)	
<b>Existing Use</b>	One-story structure	
<b>Future Land Use Designation</b>	Commercial	
<b>Comprehensive Plan Consistency</b>	Consistent with Future Land Use Element, Permitted Uses, when flexibility units are allocated.	
<b>Applicable ULDR Sections</b>	47-18.21 Mixed Use Development 47-24.3 Conditional Use 47-25.2 Adequacy Requirements 47-25.3 Neighborhood Compatibility Requirements	
<b>Setbacks/Yards</b> <b>Corner (north)</b> <b>Side (south)</b> <b>Front (east)</b> <b>Rear (west)</b>	<b>Required</b>	<b>Proposed</b>
	5'	20'-6"
	0'	20'-5"
	5'	5'-2"
	15'	21'
<b>Lot Density</b>	25 units/acre Max	23 units/acre
<b>Lot Size</b>	10,000 SF Min.	22,943 SF
<b>Lot Width</b>	100' Min.	Approx. 115' fronting NE 14 <sup>th</sup> Court Approx. 140' fronting NE 7 <sup>th</sup> Ave.
<b>Building Height</b>	150' Max.	35'
<b>Structure Length</b>	200' Max.	112'
<b>Floor Area</b>	400 SF /unit	2,216 SF /unit
<b>VUA Landscaping</b>	20%	26.7%
<b>Landscaping Lot Coverage</b>	NA	30.4%
<b>Open Space</b>	2,400 SF	6,975 SF
<b>Parking</b>	26	26
<b>Notification Requirements</b>	Sign Notice 15 days prior to meeting	
<b>Action Required</b>	Approve, approve with conditions or deny	
<b>Project Planner</b>  <b>Authorized By</b>  <b>Approved By</b>	<b>Name and Title</b>	<b>Initials</b>
	Ella Parker, Planner II	
	Gregory Brewton, Acting Planning and Zoning Deputy Director	
	Marc LaFerrier, AICP, Planning and Zoning Director	

**Request:**

The applicant proposes to construct a single-use, mixed-use development of 12 multifamily residential units on a commercially designated land use parcel, with allocation of residential flexibility units.

**Property/Project Description:**

The applicant proposes to construct 12 multifamily residential units at the southwest corner of NE 7<sup>th</sup> Avenue (Dixie Highway) and NE 14<sup>th</sup> Court on the CB zoned portion of their property. The applicant has indicated that in the future, they intend to redevelop the property to the west of the proposed site by constructing new townhouses on the RM-15 zoned portion of their property.

**Mixed-Use:**

As per ULDR *Sec. 47-18.21.D.5, Mixed Use*, single use residential buildings are permitted and no business uses are required, on parcels less than 5 acres in size. The applicants' property is 0.52 acres in size. Mixed-use developments may be permitted on commercial land use designated parcels, subject to the availability of residential flexibility units. This project will require the allocation of twelve (12) residential flexibility units. The property is located in Flex Zone 50, where one thousand, eight hundred and sixty-nine (1869) units are currently available. If the applicant is granted this request, one thousand, eight hundred and fifty-seven (1,857) residential flexibility units will remain. The applicant has provided a narrative addressing the mixed-use development criteria, of *Sec. 47-18.21*, attached as **Exhibit 1**.

**Conditional Use:**

The mixed-use development may be permitted as a conditional use, as per *Sec. 47-24.3*. Conditional use approvals are subject to City Commission Request for Review within 30 days of the Planning and Zoning Board action. The applicant's narrative in response to conditional use requirements is attached as **Exhibit 2**.

**Adequacy and Neighborhood Compatibility:**

The applicant has submitted narratives regarding how this proposal complies with *Sec. 47-25.2, Adequacy Requirements* and *Sec. 47-25.3, Neighborhood Compatibility Requirements*, attached as **Exhibit 3**.

**Parking and Traffic:**

As per *Sec. 47-20, Parking and Loading Requirements*, 2.2 parking spaces per unit or twenty-six (26) parking spaces total, are required for the proposed use. Access to the development is provided from NE 7<sup>th</sup> Avenue. Seven-foot wide sidewalks have been provided along NE 14<sup>th</sup> Court and NE 7<sup>th</sup> Avenue.

**Comprehensive Plan Consistency:**

The proposed development is consistent with the Comprehensive Plan's *Future Land Use Element's Permitted Uses -Commercial Use* section, which states that for parcels of five acres in size or less, free standing multi-family residential uses are permitted.

**Broward County School Board Interlocal Agreement:**

This proposal is subject to the provisions of the Interlocal Agreement between the City of Fort Lauderdale and the Broward County School District regarding potential impacts affecting student enrollment, enrollment projections, or school facilities. The School Board has been

notified about this proposal. Comments have not yet been received from the School Board. The applicant will be subject to mitigate any potential impacts through a recorded agreement.

**Planning and Zoning Board Review Option:**

If the Planning and Zoning Board determines that the proposed development or use meets the standards and requirements of the ULDR and criteria for Site Plan Level III review, the Planning and Zoning Board shall approve or approve with conditions necessary to ensure compliance with the standards and requirements of the ULDR and criteria for the proposed development or use, the issuance of the Site Plan Level III permit.

If the Planning and Zoning Board determines that the proposed development or use does not meet the standards and requirements of the ULDR and criteria for the proposed development or use, the Planning and Zoning Board shall deny the Site Plan Level III permit.

**Should the Board approve the proposed development, the following conditions are proposed by staff:**

1. The applicant will be required to mitigate any potential impacts for public school facility planning through a recorded restrictive covenant with the Broward County School Board, prior to final site plan approval.
2. The County review process for the associated Bronwyn Batiste Plat must be finalized and the plat must be recorded in the public records of Broward County, prior to final site plan approval.
3. Site plan approval must be valid as provided in ULDR Section 47-24.1.M.
4. Prior to application for a building permit, a Construction Debris Mitigation Plan must be submitted to include but not be limited to the requirements of the Construction Debris Mitigation Policy, as approved by the City's Building Official.
5. Final DRC approval.

**City of Fort Lauderdale**  
**Building Services Division Construction Debris Mitigation Policy**

Section 24-11 Construction Sites, of the City of Fort Lauderdale Code of Ordinances is for the purpose of controlling construction debris. In accordance with the Code, any property under construction is required to contain construction debris on the subject property site. In an effort to ensure that construction debris does not spillover onto adjacent sites, the Building Services Division will require the following mitigation measures as minimum conditions to prevent the spillover of construction debris onto adjacent properties. These measures are to be included in a Construction Debris Mitigation Plan, which will be submitted to the Building Official, prior to the issuance of a building permit for the subject project. Additional measures may be required to ensure compliance with the Code, as deemed necessary by the Building Official.

1. Extermination of the site and buildings prior to demolition. A certificate certifying that the site has been exterminated is required to obtain a demolition permit.
2. Wet demolition of existing buildings is required to minimize dust.
3. Install and maintain a 6' screening (wind blown) on all ground level perimeter site fencing to minimize dust and debris blowing out to surrounding buildings.
4. Adherence to all state and county regulations with regards to the handling of asbestos in existing buildings.
5. Provide for construction employee parking and construction staging areas, to be reviewed and approved by the City's Engineering Department, and as necessary the City's Zoning and Parking Divisions.
6. The Building Division will require measures to minimize the airborne concrete when pouring. Such measures may include, but are not limited to, use of a wet saw when cutting concrete, wind screens around saws on concrete work deck; wind screens on end of concrete pump hose, etc.
7. The Building Division will require measures to minimize airborne debris from all open floors, including but not limited to, a requirement that each floor undergoing construction activity be wrapped to control the spillover of concrete and dust onto adjacent properties.
8. Sweeping compound will be required to minimize dust when sweeping the open floors of the building.
9. Broom cleaning of adjacent streets and sidewalks is required on a daily basis.
10. A hot line telephone number for the subject property is required to address issues as they arise.
11. On site visits by City Building Inspectors and other building officials will occur, as needed, to ensure that the concerns of adjacent property owners regarding construction debris and noise are being properly and timely addressed. The costs incurred for such inspections will be borne by the applicant